

**PART III**

**THE MINUTES OF PROCEEDINGS**

*Minutes of Proceedings*

OF THE

**LEGISLATIVE ASSEMBLY**

No. 7

Tuesday 3 May 1977

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1. The Assembly met at 1000 hours pursuant to the Resolution of 17 March 1977 - Mr Speaker MacFarlane took the Chair.

2. NOTICES: The following notices were given:

Mr Ryan: To present the Traffic Bill 1977 (Serial 199), and the Motor Vehicles Bill 1977 (Serial 198).

Mr Tambling: To present the Architects Bill 1977 (Serial 197).

Mr Ryan: to move - That this Assembly ask the Commonwealth Government to reintroduce the Petroleum Products Price Equalisation Scheme to ensure that inland consumers pay no more than 0.73 cents per litre above capital city prices for certain petroleum products.

Mr Everingham: To move - That this Assembly expresses its concern about the availability of adequate funds for the continuous and orderly operation of the cyclone reconstruction and normal home finance schemes administered by the Home Finance Trustee and the Department of the Northern Territory; and requests the Cabinet Member for Finance and Local Government to make representations to the Commonwealth Government -

(a) in respect of the cyclone reconstruction loans:

(i) to ensure that the Government's commitment and guarantee of the financial needs of all eligible applicants are met without delay to reconstruction; and

(ii) to ensure that appropriations for the future are sufficient for the continuous and unhindered operation of the scheme;

(b) in respect of the normal home finance loans:

(i) to have the loan limits increased from \$15,000 as at present to a more realistic figure which recognises the special requirements of the Northern Territory; and

(ii) to have the terms and conditions of loans reviewed to establish similar terms and conditions to those made available to the Home Builders Account Funds of the various Australian states; and

(c) to ensure that the tardy and inadequate administrative procedures adopted by the Department of the Northern Territory for processing applications and progress payments be overhauled and accelerated.

3. QUESTIONS: Questions without notice were asked,
4. DARWIN CYCLONE TRACY RELIEF TRUST FUND - MONTHLY REPORTS: Mr Everingham, by leave, tabled reports for the months of July, August and September 1976.

Mrs Lawrie, by leave, moved - That the reports be noted, and was granted leave to continue her remarks at a later hour.

Debate adjourned.

5. POSTPONEMENT OF NOTICES: Mr Tuxworth, by leave, moved that Notices - Government Business - Nos. 1, 2 and 3 (Poisons and Drugs Bills) be postponed until Thursday, 5 May 1977.
6. WORKMEN'S COMPENSATION BILL 1977 (Serial 171): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time,

Debate resumed.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

7. N.T. DISASTERS ORDINANCE - NON-ASSENT: Miss Andrew, by leave, moved - That the Assembly express its concern that the Northern Territory Disasters Ordinance passed by this House last December has not yet received assent and urges the Commonwealth Government to remove any obstacles to bring about the activation of this legislation as a matter of urgency.

Debate ensued.

On the motion of Mr Everingham the following amendment was made:

Omit the words "bring about".

Debate continued.

Motion, as amended, agreed to.

SUSPENSION OF SITTING: The sitting was suspended between 1200 and 1400 hours.

8. BRANDS BILL 1977 (Serial 168): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time,

Debate resumed.

Question put and passed - Bill read a second time,

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Bill, by leave, taken as a whole and agreed to,

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

9. PRISONS BILL 1977(Serial 169): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Bill, by leave, taken as a whole and agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

10. DISPOSAL OF UNCOLLECTED GOODS BILL 1977 (Serial 179): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

Dr Letts moved - That the committee stages be later taken.

Question put and passed.

11. SEEDS BILL 1977(Serial 184): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Bill, by leave, taken as a whole and agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

12. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No.8, Government Business, was called on.
13. SOIL CONSERVATION AND LAND UTILIZATION BILL 1977 (Serial 187): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

Mr Steele moved - That the committee stages be later taken.

Question put and passed.

14. ADJOURNMENT: Dr Letts moved - That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

Adn then the Assembly at 1602 hours adjourned until tomorrow at 1000 hours.

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PAPERS: The following papers were deemed to have been presented on 3 May 1977, pursuant to statute:

Annual Reports:

Northern Territory Tourist Board 1975-6.

Determinations and Agreements:

Agreement between Administrator and Northern Territory Police Association dated 11 March 1977.

Reports:

Darwin Hospital Advisory Board - 28 February 1977

Katherine Hospital Advisory Board - February 1977

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ATTENDANCE: All members attended the sitting except Mr Tungutalum.

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 8

Wednesday 4 May 1977

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1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.

2. PETITION: Mr Tuxworth presented a Petition from certain residents of Tennant Creek relating to the use of the old hospital buildings for a creche and other community purposes.

Petition received and read.

3. NOTICES: The following notices were given:

Mr Perron: To present the Workmen's Compensation Bill 1977 (Serial 201).

Dr Letts: To move - That the Assembly appoint Dr Letts to be an observer at meetings of the Advisory Council for Inter-governmental relations and empower Dr Letts to appoint another Member as his deputy if he is unable to attend a meeting.

4. QUESTIONS: Questions without notice were asked.

5. THE MANAGEMENT OF AYERS ROCK - MT OLGA NATIONAL PARK: Dr Letts, by leave, laid on the Table the Fourth Report of the House of Representatives Standing Committee on Environment and Conservation (March 1977).

Mr Pollock moved - That the Report be noted, and was granted leave to continue his remarks at a later hour.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

6. TRAFFIC BILL 1977 (Serial 199): Mr Ryan, pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Ryan moved - That the Bill be now read a second time.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

7. MOTOR VEHICLES BILL 1977 (Serial 198): Mr Ryan, pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Ryan moved - That the Bill be now read a second time.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

8. ARCHITECTS BILL 1977 (Serial 197): Mr Tambling, pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Tambling moved - That the Bill be now read a second time.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

9. PETROLEUM PRODUCTS PRICE EQUALISATION SCHEME: Mr Ryan, pursuant to notice, moved - That this Assembly ask the Commonwealth Government to reintroduce the Petroleum Products Price Equalisation Scheme to ensure that inland consumers pay no more than 0.73 cents per litre above capital city prices for certain petroleum products.

Debate ensued.

Question put and passed.

10. WORKMEN'S COMPENSATION BILL 1977 (Serial 171): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Bill, by leave, taken as a whole and agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

11. DISPOSAL OF UNCOLLECTED GOODS BILL 1977 (Serial 179): The order of of the day having been read for the consideration of the Bill in the committee of the whole Assembly.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Bill, by leave, taken as a whole and agreed to.

The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

SUSPENSION OF SITTING: The sitting was suspended between 1156 and 1400 hours.

12. ALTERATION OF ORDER OF BUSINESS: On the motion of Dr Letts, Notice No. 1, General Business, was called on.

13. ENVIRONMENT BILL 1977 (Serial 182): Mr Withnall, pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Withnall moved - That the Bill be now read a second time.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

14. ALTERATION OF ORDER OF BUSINESS: On the motion of Dr Letts, Notice No. 2, General Business, was called on.
15. RECONSTRUCTION AND HOME FINANCE LOANS - REPRESENTATIONS TO COMMONWEALTH GOVERNMENT: Mr Everingham, pursuant to notice, moved - That this Assembly expresses its concern about the availability of adequate funds for the continuous and orderly operation of the cyclone reconstruction and normal home finance schemes administered by the Home Finance Trustee and the Department of the Northern Territory; and requests the Cabinet Member for Finance and Local Government to make representations to the Commonwealth Government -
  - (a) in respect of the cyclone reconstruction loans:
    - (i) to ensure that the Government's commitment and guarantee of the financial needs of all eligible applicants are met without delay to reconstruction; and
    - (ii) to ensure that appropriations for the future are sufficient for the continuous and unhindered operation of the scheme;
  - (b) in respect of the normal home finance loans;
    - (i) to have the loan limits increased from \$15,000 as at present to a more realistic figure which recognises the special requirements of the Northern Territory; and
    - (ii) to have the terms and conditions of loans reviewed to establish similar terms and conditions to those made available to Home Builders Account Funds of the various Australian states; and
  - (c) to ensure that the tardy and inadequate administrative procedures adopted by the Department of the Northern Territory for processing applications and progress payments be overhauled and accelerated.

Debate ensued.

Question put and passed.

16. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 4, Government Business, was called on.
17. LEGAL PRACTITIONERS BILL 1977 (Serial 196): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

18. DEATH OF FORMER MEMBER - J.B. WATTS, MLC: Dr Letts, by leave, referred to the death on 29 April 1977 in the United Kingdom of James Brunton Watts, a former member of the Legislative Council, and moved - That this Assembly records its sincere regret at the death of James Brunton Watts and places



on record its appreciation of the meritorious service he rendered to the Legislative Council and the Territory and tenders its sympathy to his family.

Question resolved in the affirmative nemine contradicente.

19. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 1, General Business, was called on.
20. UNITING CHURCH IN AUSTRALIA BILL 1977 (Serial 194): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time,

Debate resumed.

Question put and passed - Bill read a second time.

Mr Steele moved - That the committee stages be taken taken,

Question put and passed.

21. ADJOURNMENT: Dr Letts moved - That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1641 hours adjourned until tomorrow at 1000 hours.

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PAPER: The following paper was deemed to have been presented on 4 May 1977, pursuant to statute:

Public Service By-laws 1977:

No. 3 Public Service (Terms and Conditions of Service) By-laws.

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ATTENDANCE: All members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 9

Thursday 5 May 1977

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1. The Assembly met at 1000 hours pursuant to adjournment - Mr Speaker MacFarlane took the Chair.
2. QUESTIONS: Questions without notice were asked.
3. SUSPENSION OF STANDING ORDERS - TO PRESENT THREE BILLS TOGETHER: Mr Tuxworth proposed and, being supported, moved - That so much of Standing Orders be suspended as would prevent me presenting 3 Bills together and -
  - (a) the 3 Bills being read a first time together and one motion being put in regard to, respectively, the second readings, the committee's report stages and the third readings of the Bills together; and
  - (b) the consideration of the Bills separately in the committee of the whole.

Question put and passed.

4. POISONS AND DRUGS BILLS - POISONS BILL 1977 (Serial 178), DANGEROUS DRUGS BILL 1977 (Serial 188), and PROHIBITED DRUGS BILL 1977 (Serial 189): Mr Tuxworth, pursuant to notice, presented the Bills which were thereupon read a first time.

Mr Tuxworth moved - That the Bills be now read a second time.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

5. WORKMEN'S COMPENSATION BILL 1977 (Serial 201): Mr Perron, pursuant to notice, presented the Bill which was thereupon read a first time.

Mr Perron moved - That the Bill be now read a second time.

REQUEST FOR URGENCY - Workmen's Compensation Bill 1977 (Serial 201): Mr Speaker having considered a request by Dr Letts submitted pursuant to standing order 152 declared the Bill to be an urgent Bill.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

6. ADVISORY COUNCIL FOR INTER-GOVERNMENTAL RELATIONS - APPOINTMENT: Dr Letts, pursuant to notice, moved - That the Assembly appoint Dr Letts to be an observer at meetings of the Advisory Council for Inter-governmental Relations and empower Dr Letts to appoint another Member as his deputy if he is unable to attend a meeting.

Debate ensued.

Question put and passed.

7. PETROLEUM PRODUCTS SUBSIDY BILL 1977 (Serial 200): Miss Andrew, by leave, presented the Bill which was thereupon read a first time.

Miss Andrew moved - That the Bill be now read a second time,

Debate adjourned and the resumption of the debate made an order of the day for a later hour,

8. SOIL CONSERVATION AND LAND UTILIZATION BILL 1977 (Serial 187): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly,

The Assembly resolved itself into a committee of the whole,

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(In the committee)

Clauses 1 to 10, by leave, taken together and agreed to,

Clause 11 -

On the motion of Mr Pollock the following amendment was made:

In paragraph (c) -

(a) omit from proposed sub-section (2A) -

(i) "valid or enforceable unless" and substitute "served until"; and

(ii) "approved of" and substitute "approved"; and

(b) omit from proposed sub-section (2B), "produce a plan" and substitute "provide details".

Clause, as amended, agreed to,

Clause 12 agreed to.

Clause 13 -

On the motion of Mr Pollock the following amendments were made:

Omit from proposed section 16A(5) all words from and including "and the proprietor".

Omit from proposed section 16A(7)", upon proof of service of that notice of motion on the Commissioner and upon such evidence as the court may require,"and substitute ",upon being satisfied that the memorial should be removed,".

Clause, as amended, agreed to.

Clauses 14 and 15 agreed to.

Clause 16 -

On the motion of Mr Pollock the following amendment was made:

Omit from proposed section 20A the definition of "open land" and substitute the following definition:

"open land" means land -

- (a) that is not within a municipality or a town within the meaning of the Crown Lands Ordinance; and
- (b) that is held by a landholder under any tenure;"

Clause, as amended, agreed to.

Remainder of the Bill, by leave, taken as a whole and agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

9. LEGAL PRACTITIONERS BILL 1977 (Serial 196): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

10. ABORIGINAL LANDS AND SACRED SITES BILL 1977 (Serial 172): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

SUSPENSION OF SITTING: The sitting was suspended between 1205 and 1400 hours,

Debate resumed.

Debate adjourned and the resumption of the debate made an order of the day for a later hour.

11. PRIVILEGES COMMITTEE REPORT: Mr Withnall, by leave, laid on the Table a Report from the Privileges Committee dated 5 May 1977.

Mr Kentish moved - That the Report be adopted.

Question put and passed.

12. DARWIN CYCLONE TRACY RELIEF TRUST FUND - MONTHLY REPORTS: Mr Everingham, by leave, tabled Reports for the months of October, November and December 1976, and January, February, March and April 1977.

Mrs Lawrie, by leave, moved - That the Reports be noted and was granted leave to continue her remarks at a later hour.

Debate adjourned.

13. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, the order of the day relating to the Workmen's Compensation Bill 1977 (Serial 201) was called on.
14. WORKMEN'S COMPENSATION BILL 1977 (Serial 201): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole,

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(In the committee)

Bill, by leave, taken as a whole and agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

15. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 2, Government Business, was called on,
16. LEGAL PRACTITIONERS BILL 1977 (Serial 196): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Debate resumed.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole,

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(In the committee)

Clauses 1 to 4, by leave, taken together and agreed to,

Clause 5 agreed to.

New clause -

On the motion of Miss Andrew the following new clause was inserted in the Bill:

"5A. Section 34 of the Principal Ordinance is amended by omitting 'to the Master',".

Clause 6 agreed to.

Clause 7 -

On the motion of Miss Andrew the following amendment was made:

Omit sub-section (4) of proposed new section 79A and substitute the following sub-section:

"(4) The Trust Committee shall consist of the Master and 2 legal practitioners appointed by the Council of the Law Society,".

Clause, as amended, agreed to.

Clauses 8 to 10, by leave, taken together and agreed to.

Clause 11 -

On the motion of Miss Andrew the following amendments were made:

Omit from proposed new section 84(1) "interest received" and substitute "interest and other income received".

Omit from proposed new section 84A "interest moneys" (wherever occurring) and substitute "investment income".

Omit from proposed new section 84A(1) "interest" (second occurring) and substitute "interest and other income".

Omit sub-section (2) of proposed new section 84A.

Omit from proposed new section 84A(3) "amount standing to the credit of its bank account being".

Omit from proposed new section 84A(4) "held to the credit of its bank account".

Clause, as amended, agreed to.

Clause 12 -

On the motion of Miss Andrew the following amendment was made:

Omit proposed new sub-section (1C) of section 86 and substitute the following sub-section:

"(1C) The Fidelity Fund Committee shall consist of the Master and 2 legal practitioners appointed by the Council of the Law Society,".

Clause, as amended, agreed to.

Clauses 13 and 14 agreed to.

New clauses -

On the motion of Miss Andrew the following new clauses were inserted in the Bill:

"14A. Section 113 of the Principal Ordinance is amended -

(a) by omitting 'Master' (wherever occurring) and substituting 'Trust Committee'; and

(b) by omitting 'him' (wherever occurring) and substituting 'it'.

"14B. (1) Section 115(1) of the Principal Ordinance is amended by omitting 'by the Master such fees as are agreed' and substituting 'such fees as are agreed with the Master',

"(2) Section 115(3) of the Principal Ordinance is amended by omitting 'by the Master'.

"14C. Section 118 of the Principal Ordinance is amended by omitting 'The Master may pay to a receiver appointed under this Part out of the Fidelity Fund' and substituting 'The Master may direct that a receiver appointed under this Part be paid out of the Fidelity Fund'."

Clause 15 agreed to.

Title agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

17. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 8, Government Business, was called on.

18. THE MANAGEMENT OF AYERS ROCK - MT OLGA NATIONAL PARK: The order of the day having been read for the resumption of the debate on the motion of Mr Pollock - That the Report be noted.

Debate resumed.

Debate adjourned and the resumption of the debate made and order of the day for a later hour.

19. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No. 13, Government Business, was called on.

20. INTERPRETATION BILL 1977 (Serial 190): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time.

Question put and passed - Bill read a second time.

The Assembly resolved itself into a committee of the whole

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(In the committee)

Bill, by leave, taken as a whole and agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance.

21. ALTERATION OF ORDER OF BUSINESS; On the motion of Mr Steele, Order of the Day No, 1, General Business, was called on.
22. UNITING CHURCH IN AUSTRALIA BILL 1977 (Serial 194): The order of the day having been read for the consideration of the Bill in the committee of the whole Assembly.

The Assembly resolved itself into a committee of the whole.

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(In the committee)

Clause 1 agreed to.

Clause 2 -

On the motion of Mr Ballantyne the following amendments were made:

Omit from sub-clause (1) ", other than section 19(2)",.

Omit sub-clause (2).

Clause, as amended, agreed to.

Clause 3 -

On the motion of Mr Ballantyne the following amendments were made:

Omit "The South Australian Wesleyan Methodist Act 1887 and the Methodist Union Act 1900" and substitute "The South Australian Wesleyan Methodists Act, 1887, and The Methodist Union Act, 1900,".

Add the following new sub-clause.

"(2) Section 6 of the Acts Interpretation Act 1901, in its application to Ordinances by virtue of section 4 of the Interpretation Ordinance, has effect as though the laws referred to in sub-section (1) were Ordinances and had been repealed by this Ordinance."

Clause, as amended, agreed to.

Clause 4 -

On the motion of Mr Ballantyne the following amendment was made:

Omit the definition of "Church" and substitute:

"'Church' means The Uniting Church in Australia formed pursuant to the Basis of Union;"

Clause, as amended, agreed to.

Clauses 5 to 10, by leave, taken together and negatived after debate.

The heading, "PART II - INAUGURATION OF CHURCH" negatived.

Clause 11 -



On the motion of Mr Ballantyne, the following amendment was made:

Omit from sub-clause (1) "Uniting Church" and substitute "The Uniting Church".

Clause, as amended, agreed to.

Clause 12 -

On the motion of Mr Ballantyne the following amendment was made:

Omit sub-clauses (1) and (2) and substitute the following new sub-clauses:

"(1) The Trust shall have perpetual succession and a common seal and may enter into contracts, sue and be sued in its corporate name and may take, acquire, hold, deal with and dispose of property and may mortgage, charge or otherwise encumber any of its property and may borrow money for the purposes of the Trust.

"(2) Subject to this Ordinance, the Trust shall hold Trust property in trust for the Church and upon any other trust affecting the property, but notwithstanding anything contained in this Ordinance, or in the Basis of Union, it shall hold the property subject to the determinations, declarations and interpretations on matters of doctrine, worship, government and discipline made from time to time in accordance with the provisions of the Constitution for the Church for the time being in force in that regard."

Clause, as amended, agreed to.

Clause 13 agreed to.

Clause 14 -

On the motion of Mr Ballantyne the following amendments were made:

Omit sub-clause (1)(d) and substitute:

"(d) Becomes a mentally defective person within the meaning of the Mental Defectives Ordinance or becomes a person whose estate is subject to administration under Part III of that Ordinance;"

Omit from sub-clause (1)(f) the words "if he".

Clause, as amended, agreed to.

Clauses 15 and 16, by leave, taken together and agreed to.

Clause 17 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from sub-clause (3) the word "parole" and substitute "parol".

Clause, as amended, agreed to.

Clause 18 agreed to.

Clause 19 -

On the motion of Mr Ballantyne the following amendments were made:

Omit from sub-clause (1)(a) "or".

Omit sub-clause (1)(b) and substitute:

"(b) is vested in the "Methodist Overseas Missions Trust Association" (also known as "The Methodist Overseas Mission Trust Association Incorporated", "Methodist Overseas-Missions Trust Association" and "Methodist Overseas Missions Trust Association Incorporated"); or

"(c) is not described in the Third Schedule, and is vested in the Presbyterian Church (New South Wales) Property Trust,".

Omit sub-clause (2).

Clause, as amended, agreed to.

Clause 20 -

On the motion of Mr Ballantyne the following amendments were made:

Omit from sub-clause (1)(a) the words ", or is declared or directed to be held by any person (not being the Trust) for, or for the benefit of, or in trust for, the Church or the religious, social education or charitable work of the Church".

Insert after sub-clause (3) the following new sub-clause:

"(4) Any deed, instrument, document, gift, will or other provision in favour of or relating to the United Church in North Australia and coming into effect on or after the appointed day shall be read and construed as though any reference therein to the United Church in North Australia was a reference to the Church unless the context otherwise requires."

Clause, as amended, agreed to after debate.

Clause 21 negatived.

New clause -

On the motion of Mr Ballantyne the following new clause was inserted in the Bill:

"21. The vesting of any real property in the Trust by this Ordinance shall not be held invalid either by law or in equity by reason of any breach or non-performance, prior to vesting of any condition, trust or proviso contained in the grant by the Crown of the real property and every provision for forfeiture or reverter in respect of any such breach or non-performance shall be deemed to have been released by the Crown as from the date of Crown grant."

Clause, as amended, agreed to.

Clause 22 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from sub-clause (1) the words "prima facie".

Clause, as amended, agreed to.

Clause 23 agreed to.

Clause 24 -

On the motion of Mr Ballantyne the following amendments were made:

Omit from sub-clause (1)(a) the word "land" and substitute "real property".

Omit from sub-clause (1) ", and without fee,".

Omit sub-clause (2).

Clause, as amended, agreed to.

Clause 25, agreed to.

Clause 26 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from paragraph (c) "for the purpose of the Trust" and substitute "for the purpose by the Trust".

Clause, as amended, agreed to.

Clause 27 -

On the motion of Mr Ballantyne the following amendment was made:

Omit "upon any sale, exchange mortgage," and substitute "upon any sale, exchange, mortgage,".

Clause, as amended, agreed to.

Clause 28 agreed to.

Clause 29 -

On the motion of Mr Ballantyne the following amendment was made:

Omit sub-clause (1)(b) and substitute:

"(b) accept appointment, and act, as trustee or co-trustee under and in pursuance of any trust where the trust property is not vested in the Trust by, or pursuant to, this Ordinance, and the trust was created wholly or partly for the benefit of the Church,

and may do all things necessary for the exercise or performance its powers, authorities, duties or functions as executor, administrator or trustee, as the case may be.".

Clause, as amended, agreed to.

Clause 30 agreed to.

Clause 31 -

On the motion of Mr Ballantyne the following amendments were made:

Omit from sub-clause (1) "make regulations" and substitute "give directions".

Omit sub-clause (2) and substitute:

"(2) A certificate signed by the President or Secretary for the time being of the Assembly or by the Moderator or Secretary for the time being of the Synod in which or in an annexure to which is specified the form of a direction under sub-section (1), being a direction which is in force on a date specified in the certificate, shall be conclusive evidence that the direction was in force in that form on that day."

Omit from sub-clause (3) "regulation" (wherever occurring) and substitute "direction".

Clause, as amended, agreed to.

Clause 32 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from sub-clause (2) "scheme of co-operations" and substitute "scheme of co-operation".

Clause, as amended, agreed to.

Clause 33 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from sub-clause (2) "referred to in section 31" and substitute "referred to in section 32".

Clause, as amended, agreed to.

Clauses 34 to 36, by leave, taken together and agreed to.

Clause 37 -

On the motion of Mr Ballantyne the following amendment was made:

Omit "authorized by statute" and substitute "authorized by a law in force in the Territory".

Clause, as amended, agreed to.

First Schedule agreed to.

Second Schedule -

Item 1 -

On the motion of Mr Ballantyne the following amendment was made:

Omit all words in the second column up to and including the words "from the above-named to".

Item 2 agreed to,

Item 3 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from the first column "Crown Lands" and substitute "Town Lands".

Item 4 -

On the motion of Mr Ballantyne the following amendment was made:

In the second column after "Louis George Kenneth Blanchard, Presbyterian Minister," insert "James Frederick McKay, Presbyterian Minister,".

Item 5 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from the second column "Hawthorn Victoria and Cecil Frank Gribble" and substitute "Hawthorn, Victoria, Cecil Frank Gribble".

Item 6 -

On the motion of Mr Ballantyne the following amendment was made:

Omit from the second column "as joint tenants with no survivorship" and substitute "with no survivorship".

Item 7 -

On the motion of Mr Ballantyne the following amendments were made:

Omit all the words in the first column and substitute:

"Sub-lease No. 48357 of that part of Special Purposes Lease No. 214, Volume 75 Folio 36, being Lot 64 as shown on Survey Plan S/72/142A.".

Omit from the second column "Trustees of the United Church in North Australia" and substitute "The Trustee of the United Church in North Australia".

New item -

On the motion of Mr Ballantyne the following new item was added to the Schedule:

"8. Lease of Town Lands  
No. 1382; Volume 34  
Folio 76, Lot Nos.  
38 and 47, Town of  
Alice Springs

Anne Cornelis Jan Reus,  
William Leslie Clough,  
John Payne Hodge, Ronald Ross,  
Rex Battarbee and Charles  
Crawford Stephens all of  
Alice Springs in the  
Northern Territory of  
Australia, engineer, public  
servant, public servant,  
engineer, artist, and powerhouse  
supervisor respectively,  
as joint tenants with no  
survivorship.".

Second Schedule, as amended, agreed to,

Third Schedule -

On the motion of Mr Ballantyne the following amendment was made:

Omit the Third Schedule and substitute the following new schedule:

"Third Schedule

Section 19(1)(c)

Lease of Town Lands No. 980, Volume 22 Folio 35, Lot Nos, 74 and 75,  
Town of Alice Springs."

Schedule, as amended, agreed to.

Title agreed to.

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The Assembly resumed - Mr Chairman reported the Bill and the report was adopted.

The Bill was read a third time and passed to be an Ordinance,

23. ALTERATION OF ORDER OF BUSINESS: On the motion of Mr Steele, Order of the Day No.2, General Business, was called on.
24. DARWIN CYCLONE TRACY RELIEF TRUST FUND REPORTS, JULY, AUGUST & SEPTEMBER 1976: The order of the day having been read for the resumption of the debate on the motion of Mrs Lawrie - That the Reports be noted.

Debate resumed.

Question put and passed.

25. SPECIAL ADJOURNMENT: Dr Letts moved - That the Assembly, at its rising, adjourn until 1000 hours on Tuesday, 7 June 1977.

Question put and passed.

26. ADJOURNMENT: Dr Letts moved - That the Assembly do now adjourn.

Debate ensued.

Question put and passed.

And then the Assembly at 1745 hours adjourned until 1000 hours on Tuesday, 7 June 1977.

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ATTENDANCE: All members attended the sitting.

F.K.M. THOMPSON  
Acting Clerk of the Assembly

FIRST LEGISLATIVE ASSEMBLY

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